

105TH CONGRESS
2D SESSION

H. R. 2863

AN ACT

To amend the Migratory Bird Treaty Act to clarify restrictions under that Act on baiting, to facilitate acquisition of migratory bird habitat, and for other purposes.

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Migratory Bird Treaty
3 Reform Act of 1998”.

4 **SEC. 2. ELIMINATING STRICT LIABILITY FOR BAITING.**

5 Section 3 of the Migratory Bird Treaty Act (16
6 U.S.C. 704) is amended—

7 (1) by inserting “(a)” after “SEC. 3.”; and

8 (2) by adding at the end the following:

9 “(b) It shall be unlawful for any person to—

10 “(1) take any migratory game bird by the aid
11 of baiting, or on or over any baited area, if the per-
12 son knows or reasonably should know that the area
13 is a baited area; or

14 “(2) place or direct the placement of bait on or
15 adjacent to an area for the purpose of causing, in-
16 ducing, or allowing any person to take or attempt to
17 take any migratory game bird by the aid of baiting
18 on or over the baited area.”.

Passed the House of Representatives September 10,
1998.

Attest:

Clerk.